

For Court Use Only (Seal)

KANSAS SENTENCING GUIDELINES JOURNAL ENTRY OF JUDGMENT
PLEASE USE FOR CRIMES COMMITTED ON JULY 1, 2015 - JUNE 30, 2016

SECTION I. CASE IDENTIFYING INFORMATION

1. Transaction No.	
2. STATE v. <input type="checkbox"/> Male <input type="checkbox"/> Female	3. Court O.R.I. Number
4. K.B.I. Number	
5. County	6. Court Case Number
7. Sentencing Judge	
8. Sentencing Date	
9. Defense Counsel: <input type="checkbox"/> Appointed <input type="checkbox"/> Retained <input type="checkbox"/> Self <input type="checkbox"/> Waived Orally <input type="checkbox"/> Waived in Writing	
10. Type of Proceeding (Trial) <input type="checkbox"/> Bench Trial (includes a plea on stipulated facts) <input type="checkbox"/> Jury Trial <input type="checkbox"/> Guilty Plea <input type="checkbox"/> Nolo contendere Plea	
11. Date of Conviction:	
12. Pre-Trial Status of Offender <input type="checkbox"/> In Custody <input type="checkbox"/> Released on Bond <input type="checkbox"/> Other Release	

SECTION II. CRIMINAL HISTORY CLASSIFICATION

1. Offender's Overall Criminal History Classification as Found by the Court: ☐ A ☐ B ☐ C ☐ D ☐ E ☐ F ☐ G ☐ H ☐ I
2. Objection to Criminal History? ☐ Yes ☐ No If Yes, By: ☐ Defendant or ☐ State
Court's Ruling on Objection: ☐ Criminal history was amended ☐ Criminal history was not amended

SECTION III. CURRENT CONVICTION INFORMATION

1. Name of PRIMARY Offense of Conviction: _____
Count No.: _____ Date of Offense: _____ ☐ Designated by court as domestic violence case based upon special finding (see #14 this section)

2. If Drug Offense: (Indicate statute for controlled substance) ☐ 65-4105 ☐ 65-4107 ☐ 65-4109 ☐ 65-4111 ☐ 65-4113
Name of Drug: _____
Amount of Drug (IF Distribution Offense): _____ ☐ w/in 1,000 ft of school

3. K.S.A. Title, Section, Subsection(s): _____
☐ Attempt (K.S.A. 21-5301) ☐ Conspiracy (K.S.A. 21-5302) ☐ Solicitation (K.S.A. 21-5303)

4. Grade of Offense: (Check one in each row.) ☐ Felony, Severity Level _____ ☐ Misdemeanor, Class _____
☐ Person ☐ Nonperson

5. Offense Category: ☐ Nondrug ☐ Drug ☐ Off-grid ☐ Nongrid

6. Presumptive Sentencing Range: (Enter terms from appropriate grid.) Aggravated _____ Standard _____ Mitigated _____
Check applicable box(es) ☐ Presumptive Prison ☐ Presumptive Probation ☐ Border Box
☐ Drug Treatment for up to 18 months. K.S.A. 21-6824
☐ Special Rule Applies (Complete Special Rules Supplemental Page and Attach)

THIS FORM MUST BE ACCOMPANIED BY A COPY OF THE PRESENTENCE INVESTIGATION FORM PURSUANT TO K.S.A. 22-3439 AND A DOCUMENT CONTAINING INFORMATION REQUIRED BY K.S.A. 22-3426.
PLEASE USE AN ADDITIONAL OFFENSES PAGE FOR ADDITIONAL OFFENSES OF CONVICTION.

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7. SPECIAL RULE APPLICABLE: <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, enter the number(s) and brief description(s) corresponding to the applicable special rule. (Complete Special Rules Supplemental Page and Attach): _____	
8. SPECIAL FINDING that the crime was SEXUALLY MOTIVATED pursuant to the KS Offender Registration Act 8a. Did the court make a special finding that the crime was sexually motivated? 8b. IF YES to 8a , did the court find that the act involved non-forcible sexual conduct, the victim was at least 14 and the offender was no more than 4 years older than the victim? (K.S.A. 22-4902(c)(15)) 8c. IF YES to 8a and NO to 8b, PLEASE COMPLETE OFFENDER REGISTRATION SUPPLEMENT AND ATTACH IT TO JOURNAL ENTRY.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
9. Was offender determined by the Court to be an AGGRAVATED HABITUAL SEX OFFENDER? (K.S.A. 21-6626) IF YES, PLEASE COMPLETE SEX OFFENSE SUPPLEMENT AND ATTACH IT TO JOURNAL ENTRY.	<input type="checkbox"/> Yes <input type="checkbox"/> No
10. Is offender being sentenced pursuant to K.S.A. 21-6627 where offender is 18 years of age or older and the victim is less than 14 years of age? IF YES, PLEASE COMPLETE SEX OFFENSE SUPPLEMENT AND ATTACH IT TO JOURNAL ENTRY.	<input type="checkbox"/> Yes <input type="checkbox"/> No
11. Downward departure (K.S.A. 21-6818(a)) for a crime of extreme sexual violence (K.S.A. 21-6815)? IF YES, PLEASE COMPLETE SEX OFFENSE SUPPLEMENT AND ATTACH IT TO JOURNAL ENTRY.	<input type="checkbox"/> Yes <input type="checkbox"/> No
12. Did offender, as determined by the court, commit the current crime with a deadly weapon? IF YES, PLEASE COMPLETE OFFENDER REGISTRATION SUPPLEMENT AND ATTACH IT TO JOURNAL ENTRY.	<input type="checkbox"/> Yes <input type="checkbox"/> No
13. Was offender convicted of a violation of K.S.A. 21-5703, Manufacture or attempted manufacture; K.S.A. 21-5705(a)(1). Cultivation, Distribution, Possession w/ intent to distribute opiates, opium or narcotic drugs or any stimulant in K.S.A. 65-4107(d)(1), (d)(3), (f)(1); or K.S.A. 21-5709(a). Possession of precursors w/ intent to manufacture? IF YES, PLEASE COMPLETE OFFENDER REGISTRATION SUPPLEMENT AND ATTACH IT TO JOURNAL ENTRY.	<input type="checkbox"/> Yes <input type="checkbox"/> No
14. Determination of domestic violence case designation 14a. Did offender, as determined by the <u>trier of fact</u> , commit a domestic violence offense? 14b. If YES to 14a above, did the court find that offender had no prior domestic violence conviction or diversion, AND that offender did not use the present domestic violence offense to coerce, control or punish the victim? 14c. If YES to 14a and NO to 14b, PLEASE CHECK THE DOMESTIC VIOLENCE CASE DESIGNATION BOX.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DV Case
15. Veteran's Treatment Eligibility (2015 HB 2154): 15a Did offender serve in the armed forces of the U.S. in a combat zone as certified by the Kansas Commission on Veteran Affairs? 15b Does offender suffer from injury and the injury is connected to service in a combat zone in the armed forces of the U.S.? 15c Does offender's current conviction place the offender in a presumptive probation grid box? If YES to 15a through 15c, check box if court ordered Veterans Treatment	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> VA treatment

SECTION IV. SENTENCE IMPOSED	
1. Guideline Range Imposed: <input type="checkbox"/> Aggravated <input type="checkbox"/> Standard <input type="checkbox"/> Mitigated <input type="checkbox"/> Departure – COMPLETE SECTION V	
2. Prison Term: KDOC ____ months (including enhancement sentence) (Enter months above then check one of the following) <input type="checkbox"/> Prison sentence imposed or <input type="checkbox"/> Underlying with probation granted ** or Underlying with KDOC Drug Trtmnt Prog. (min. 120 days) <input type="checkbox"/> Enhancement Sentence- Drug with Firearm: <input type="checkbox"/> 6 months <input type="checkbox"/> 18 months (K.S.A. 21-6805(g)) Ballistic Resistant Material: <input type="checkbox"/> 30 months (K.S.A. 21-6804(t)) <input type="checkbox"/> Off-grid Crime: <input type="checkbox"/> Life - Minimum 15 yrs. <input type="checkbox"/> Life - Minimum 20 yrs. <input type="checkbox"/> Hard 25 <input type="checkbox"/> Hard 40 <input type="checkbox"/> Hard 50 <input type="checkbox"/> Life without Parole <input type="checkbox"/> Death Penalty <input type="checkbox"/> Per K.S.A. 2014 Supp. 21-6620, 21-6623 or 21-6627, if guidelines sentence greater than mandatory minimum ____ months.	
3. Postrelease Supervision Term: <input type="checkbox"/> 12 months <input type="checkbox"/> 24 months <input type="checkbox"/> 36 months <input type="checkbox"/> 60 months (sex offense) - COMPLETE SECTION V <input type="checkbox"/> Lifetime Postrelease <input type="checkbox"/> Lifetime Parole / Electronic Monitoring (K.S.A. 21-6604(r))	
4. Felony DUI & Test Refusal: <input type="checkbox"/> 3 rd D.U.I. <input type="checkbox"/> 4 th & Subs. D.U.I. <input type="checkbox"/> 2 nd Test Refusal <input type="checkbox"/> 3 rd & Subs. Test Refusal (Effective on/after 7/1/12) Jail Sentence: ____ months ____ days <input type="checkbox"/> Release is authorized after jail service of ____ months ____ days ____ hours <input type="checkbox"/> Assigned to work release (K.S.A. 21-6604(a)(11)) or <input type="checkbox"/> House Arrest: ____ months ____ days ____ hours Post-Imprisonment Supervision (PIS) of 12 months supervised by: <input type="checkbox"/> Court Services <input type="checkbox"/> Community Corrections (check one) <input type="checkbox"/> Additional one month jail if child <14 in vehicle (K.S.A. 8-1567(c), K.S.A. 8-1025(c)) (<i>include in total</i>)	
5. Other Nongrid Felony and/or Misdemeanors: <input type="checkbox"/> 3 rd & Subs. Domestic Battery w/in 5 yrs. <input type="checkbox"/> Animal Cruelty <input type="checkbox"/> Jail Sentence Imposed: ____ months ____ days ____ hours <input type="checkbox"/> Probation Imposed (Complete # 6) <input type="checkbox"/> Probation granted after serving jail term. Jail Term: ____ months ____ days <input type="checkbox"/> Assigned to work release (K.S.A. 21-6604(a)(11)) or <input type="checkbox"/> House Arrest: ____ months ____ days ____ hours	

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6. **Probation Term (If Granted):** ☐ 12 months ☐ 18 months ☐ 24 months ☐ 36 months ☐ 60 months

☐ Drug Treatment for up to 18 months. K.S.A. 21-6824 ☐ Other: _____

☐ Extended Period K.S.A. 21-6608(c)(5) for: _____ months

Probation Supervision to: ☐ Court Services ☐ Community Corrections ☐ Unsupervised

County Jail Time Imposed AS A CONDITION OF PROBATION: _____ days

**** Assignment to Correctional Conservation Camp**

☐ Withheld authority of court services/community corrections to impose intermediate sanction pursuant to K.S.A. 21-6604(s) or (t)

Comments: _____

SECTION V. DEPARTURE INFORMATION

1. **Type of Departure:** (Check all that apply.)

☐ Downward Durational ☐ Upward Durational ☐ Downward Dispositional ☐ Upward Dispositional

☐ Postrelease Supervision (up to 60 months for sexually motivated offense) – K.S.A. 22-3717(d)(1)(D)(i)

2. **Reasons Cited as Basis for Departure:**

SECTION VI. OTHER CONDITIONS

1. **General/Special Conditions of Probation (COMPLETE AND ATTACH ORDER OF PROBATION TO THIS JOURNAL ENTRY if needed)**

2. **Costs Ordered:**

†Total Restitution (Please complete #3 below)	\$ _____	Correctional Supv. Fee (Felony \$120; Misd. \$60)	\$ _____
Court Costs (including surcharge)	\$ _____	BIDS Attorney Fee <input type="checkbox"/> Waived	\$ _____
*Total Fines	\$ _____	BIDS Application Fee	\$ _____
DNA Database Fee (K.S.A. 21-2511 & 75-724.)	\$ _____	Court-Appointed Attorney Fee	\$ _____
Extradition Costs	\$ _____	Community Corr. Fee (offenses after 1/4/07)	\$ _____
Domestic Violence Special Program Fee	\$ _____	Booking/Fingerprint Fee	\$ _____
Apprehension Fee (Escape/Agg. Escape)	\$ _____	Reward Reimbursement	\$ _____
Alcohol and/or Drug Eval. Fee (offenses before 7/1/11)	\$ _____	Children's Advocacy Center Assessment Fee	\$ _____
Witness Fee	\$ _____	Medical Costs/Expenses Reimbursement	\$ _____
KBI Lab Fee	\$ _____	SB 123 Assessment Fee (\$200)	\$ _____
Other Lab Fee	\$ _____	SB 123 Offender Reimbursement (at least \$100)	\$ _____
Domestic Violence Assessment/Recommendations	\$ _____	Other: _____	\$ _____
		TOTAL COSTS	\$ _____

† ☐ On or after 7/1/15, restitution shall be ordered as per 2015 SB 113 if convicted of Human Trafficking (K.S.A. 21-5426), Agg. Human Trafficking (K.S.A. 21-5426) or Commercial Exploitation of a Child (K.S.A. 21-6422).

* ☐ \$250 of DUI or Test Refusal fine shall be sent to Community Corrections Supervision Fund.

* ☐ On and after 7/1/13 for Promoting the Sale of Sexual Relations (K.S.A. 21-6420), Buying Sexual Relations (K.S.A. 21-6421), or Commercial Sexual Exploitation of a Child (K.S.A. 21-6422), fine of \$2500-5000 shall be sent to Human Trafficking Victim Assistance Fund.

3. **Restitution to be paid as follows:**

Amount	Name and Address
\$ _____	_____
\$ _____	_____
\$ _____	_____
\$ _____	_____
\$ _____	_____
\$ _____	_____

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SECTION VII. RECAP OF SENTENCE

1. Sentence Imposed:

Total Prison Term (if sentence imposed is to prison): _____

Total County Jail Term: _____ ☐ Consecutive to Prison Term

Total Underlying Jail Term (if sentence imposed is probation): _____

Total Underlying Prison Term (if sentence imposed is probation): _____

- ☐
- For each count, the Court pronounced the complete sentence, including the maximum potential good time percentage. K.S.A. 21-6804(e)(2) and 21-6805(c)(2).

2. Postrelease Supervision Term:
- ☐
- 12 months
- ☐
- 24 months
- ☐
- 36 months
- ☐
- 60 months
- ☐
- Lifetime Postrelease
-
- ☐
- Lifetime Parole / Electronic Monitoring (K.S.A. 21-6604(r))

3. DUI or Test Refusal Post-Imprisonment Supervision (12 months)
- ☐
- Court Services
- ☐
- Community Corrections

4. Probation Term Imposed (select one):
- ☐
- 12 months
- ☐
- 18 months
- ☐
- 24 months
- ☐
- 36 months
- ☐
- 60 months

☐ Drug Treatment for up to 18 months. K.S.A. 21-6824☐ Extended Period K.S.A. 21-6608(c)(5) for: _____ months☐ Other: _____

**Correctional Conservation Camp

5. Incarceration Credit: Enter dates (m/d/yy only) and days of credit potentially for this case and check "A" if the days are actually awarded, or "N" if the days are not awarded by the court. (attach additional pages if necessary)

*Location-	From:	To:	=	Days	<input type="checkbox"/> A	<input type="checkbox"/> N	*Location-	From:	To:	=	Days	<input type="checkbox"/> A	<input type="checkbox"/> N
*Location-	From:	To:	=	Days	<input type="checkbox"/> A	<input type="checkbox"/> N	*Location-	From:	To:	=	Days	<input type="checkbox"/> A	<input type="checkbox"/> N
*Location-	From:	To:	=	Days	<input type="checkbox"/> A	<input type="checkbox"/> N	*Location-	From:	To:	=	Days	<input type="checkbox"/> A	<input type="checkbox"/> N
*Location-	From:	To:	=	Days	<input type="checkbox"/> A	<input type="checkbox"/> N	*Location-	From:	To:	=	Days	<input type="checkbox"/> A	<input type="checkbox"/> N

*Enter appropriate letters to indicate the type of location where credit may have been earned:

J=Jail TL=Treatment (Locked) TU=Treatment (Unlocked) RL=Residential (Locked) RU=Residential (Unlocked) HA= House Arrest

Sentencing Date: _____ - Total number of days of credit actually awarded _____ = Sentence Begins Date:

IF cases are "CONSOLIDATED", list grand total of ALL credits actually awarded: _____

6. Prior Case(s) to Which the Current Sentence is to Run Concurrent or Consecutive:

Case No. _____	County _____	Sentence _____	Concurrent <input type="checkbox"/>	or Consecutive <input type="checkbox"/>
Case No. _____	County _____	Sentence _____	Concurrent <input type="checkbox"/>	or Consecutive <input type="checkbox"/>
Case No. _____	County _____	Sentence _____	Concurrent <input type="checkbox"/>	or Consecutive <input type="checkbox"/>
Case No. _____	County _____	Sentence _____	Concurrent <input type="checkbox"/>	or Consecutive <input type="checkbox"/>

Others: _____

7. Miscellaneous Provisions:

☐ Defendant informed of right to appeal within 14 days of this date. K.S.A. 22-3608(c). (Required by case law)☐ Defendant informed of potential rights of expungement. K.S.A. 21-6614c(h)☐ Defendant informed of duty to register as an offender pursuant to the Kansas Offender Registration Act, K.S.A. 22-4905(b)(2) (Please complete OFFENDER REGISTRATION SUPPLEMENT and attach it to the Journal Entry.)☐ Defendant must submit specimens of blood or an oral or other biological sample, if not previously submitted, pursuant to K.S.A. 21-2511(c).☐ Defendant must obtain psychological evaluation and shall complete the recommended treatment pursuant to K.S.A. 22-3717(d)(1)(D)(iv).☐ Defendant has been processed, fingerprinted and palmed. K.S.A. 21-2501(b)☐ Court remands Defendant to custody of Sheriff to begin serving sentence.☐ Court remands Defendant to custody of Sheriff to await transportation to the custody of the Secretary of Corrections.☐ Defendant to report to County Jail on the ____ day of _____, 20__ at ____ o'clock ☐ a.m. ☐ p.m. to start serving sentence.☐ House arrest is authorized for remaining _____ days after Defendant completes mandatory _____ hours in the County Jail.☐ Work release recommended (if accepted, defendant is to abide by recommendations of the program).☐ Defendant's financial resources and burden imposed by BIDS application and attorney fees considered by the court pursuant to K.S.A. 22-4513 and *State v. Robinson*, 281 Kan. 538, 132 P.3d 934 (2006).☐ Defendant to undergo domestic violence assessment pursuant to K.S.A. 21-6604(p)☐ Defendant advised of prohibition against firearms.☐ Other Comments: _____

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SECTION VII. RECAP OF SENTENCE CONTINUED

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8. Border Box Findings K.S.A. 21-6804(f): (Check if appropriate)

- ☐ An appropriate treatment program exists which is likely to be more effective than the presumptive prison term in reducing the risk of offender recidivism; and
- ☐ the recommended treatment program is available and the offender can be admitted to the program within a reasonable period of time; or,
- ☐ the non-prison sanction will serve community safety interests by promoting offender reformation

9. If made, Motion for New Trial: ☐ Granted ☐ Denied

10. If made, Motion for Judgment of Acquittal: ☐ Granted ☐ Denied

11. If made, Motion for Arrest of Judgment: ☐ Granted ☐ Denied

12. Additional Comments:

SECTION VIII. SIGNATURES

1. Judge's Signature: **Date:** _____

Signed: _____

Printed: _____

2. Prosecuting Attorney:

Signed: _____

Printed: _____

Supreme Court Number: _____

Date: _____

Address: _____

Phone No: _____

3. Defense Attorney:

Signed: _____

Printed: _____

Supreme Court Number: _____

Date: _____

Address: _____

Phone No: _____